

AMENDED IN SENATE SEPTEMBER 7, 2005

AMENDED IN SENATE AUGUST 23, 2005

CALIFORNIA LEGISLATURE—2005–06 REGULAR SESSION

ASSEMBLY BILL

No. 1759

Introduced by Assembly Member Klehs
(Coauthors: Assembly Members Koretz and Pavley)
(Coauthors: Senators Romero and Torlakson)

March 15, 2005

An act to add Section 12000.5 to the Elections Code, relating to elections, ~~and declaring the urgency thereof, to take effect immediately.~~

LEGISLATIVE COUNSEL'S DIGEST

AB 1759, as amended, Klehs. Elections: statewide special elections: Governor.

Existing provisions of the California Constitution authorize the Governor to call a statewide special election for one or more initiative measures that have qualified for the ballot.

This bill would specify that the Governor may, by proclamation, rescind a call for a statewide special election any time prior to the date of that election. The bill would state the finding of the Legislature that this provision is declaratory of the existing authority of the Governor under the California Constitution.

~~This bill would declare that it is to take effect immediately as an urgency statute.~~

Vote: $\frac{2}{3}$ -majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 12000.5 is added to the Elections Code,
2 to read:

3 12000.5. When, pursuant to subdivision (c) of Section 8 of
4 Article II of the California Constitution, the Governor has called
5 a statewide special election for one or more initiative measures,
6 the Governor may thereafter issue a proclamation rescinding the
7 call for that statewide special election at any time prior to the
8 date of that election.

9 SEC. 2. The Legislature finds and declares that this act is
10 declaratory of the existing authority of the Governor under
11 subdivision (c) of Section 8 of Article II of the California
12 Constitution.

13 ~~SEC. 3. This act is an urgency statute necessary for the~~
14 ~~immediate preservation of the public peace, health, or safety~~
15 ~~within the meaning of Article IV of the Constitution and shall go~~
16 ~~into immediate effect. The facts constituting the necessity are:~~

17 ~~In order to clarify the authority of the Governor to rescind the~~
18 ~~call for a statewide special election, including the special election~~
19 ~~called for November 8, 2005, it is necessary that this act take~~
20 ~~effect immediately.~~